

H.R. 1642,
“Homeless Veterans Housing at Sepulveda Ambulatory Care Center Promotion Act”

Introduction

H.R. 1642, the “***Homeless Veterans Housing at Sepulveda Ambulatory Care Center Promotion Act***”, is designed to ensure that the Sepulveda veterans facilities and resources are used for veterans only. The bill would ensure that all qualified housing organizations receive the opportunity to present competing proposals to the Department of Veterans Affairs (VA) for a homeless veterans housing project at the Sepulveda Ambulatory Care Center in North Hills, California, (“VA Sepulveda).

What H.R. 1642 Does:

The bill directs the Secretary of Veterans Affairs to ensure that, **to the extent possible**, an enhanced use lease for a homeless housing project at VA Sepulveda shall be maintained as a sober living facility for veterans only with adequate staffing and security.

The Secretary of Veterans Affairs may enter into an enhanced-use lease under section 8162 of title 38, United States Code at VA Sepulveda for a homeless housing project, only to the extent that any such lease contains legally enforceable provisions that the tenant under the lease shall comply with the following terms and conditions:

- (1) That **the housing project located at VA Sepulveda shall provide housing exclusively for veterans**, as defined in section 101 of title 38, United States Code.
- (2) That **such housing project shall be maintained, for the duration of the lease, as a sober living facility.**
- (3) That **the housing project shall be adequately staffed with health care, counseling, and security personnel**, taking into account the ratio of such staff to residents, in order to protect residents of the housing project and of the community, and that **the minimum staffing ratios shall be specified in an enforceable provision of the lease.**
- (4) That **the housing project shall provide housing to not fewer than 150 and not more than 225 residents.**

H.R. 1642 would also require the VA to determine whether there are other qualified organizations with the experience, efficiency and funding sources to deliver a veterans-only, sober living facility and to enter into an enhanced use lease with the organization best suited to deliver the project.

In the event that more than one qualified organization submits a proposal, the Secretary shall enter into the enhanced use lease with the organization that the Secretary determines offers the best treatment services, security staffing, and supervision with respect to residents of the housing project. The Secretary shall give preference to entering into such a lease with a qualified organization which has the most experience nationwide in providing housing and treatment for homeless veterans.

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The bill contains two exceptions:

- 1) If the Secretary, after a diligent search, is unable to enter into an enhanced use lease with a qualified organization containing all of the terms and conditions described above within 12 months after the date of the enactment of H.R. 1642, the Secretary may enter into a lease with a qualified organization providing that the housing project shall be exclusively for veterans during the duration of the lease, with preference given to an organization which housing project shall provide housing to the highest number of residents not exceeding 225.
- 2) If, after a diligent search, the Secretary is unable to enter into such a lease with a qualified organization that provides that the housing project shall be exclusively for veterans during the duration of the lease, may enter into such a lease with an organization providing that not less than 80 percent of the residents of the housing project shall be veterans throughout the duration of the lease.

Background

Homelessness among veterans is a pervasive problem. Estimates are that there are 20,000-30,000 homeless veterans in the Los Angeles area alone. Many of these homeless veterans also have substance abuse problems. Congressman Sherman worked with veterans and the San Fernando Valley community to mobilize community support for a veterans-only housing project that would use two buildings at VA Sepulveda to provide housing and supportive services for homeless veterans with substance abuse problems.

Two non-profit organizations, New Directions, Inc., (New Directions), and their partner A Community of Friends (ACOF) made a proposal to local VA administrators, local elected officials, and community representatives to enter into an enhanced use lease with the VA for a veterans-only housing project for recovering substance abusers that would be alcohol-free and would have adequate staffing and security. All parties agreed to the commitments which were memorialized in a February 10, 2006 letter from Congressman Sherman to the local VA administrator and New Directions/ACOF. An enhanced use lease is a way for land developers to acquire land on veterans' property, in exchange for in-kind services to veterans.

The original proposal presented by New Directions/ACOF was for a veterans-only, sober living facility, with adequate staffing and security. In the summer of 2006, New Directions/ACOF abandoned the proposal and now seek an enhanced use lease with the VA to deliver a project at VA Sepulveda that is substantially different than what was initially agreed

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The new project now proposed by New Directions/ACOF

- 1) would not be a veterans-only housing project (non-veterans would be permitted to reside in these veterans facilities);
- 2) allows New Directions/ACOF to permit alcohol use by residents; and
- 3) does not include legally enforceable lease provisions to require adequate staffing and security.

New Directions/ACOF took these steps after discovering additional funding sources through HUD that it believes might be available for this project if its lease with the VA opens these facilities to residency by non-veterans and allows the use of alcohol.

New Directions/ACOF's and the VA proposes to enter into a 75 year enhanced use lease. VA is not holding another hearing to provide notice to the community and the elected officials. VA has refused to issue a request for proposals from any other qualified organizations for a VA Sepulveda homeless veterans' housing project, including those organizations currently providing veterans only housing (such as the Salvation Army or US Vets) Instead, the VA is proceeding on a sole source basis with New Directions/ACOF and disregards important commitments made to the local VA administrators, local elected officials, and the community.